

**AGENDA  
MAINE STATE HARNESS RACING COMMISSION  
MEETING**

**\*\*MINUTES\*\***

**December 16, 2015  
Room 208  
Burton Cross Building  
Capitol Street, Augusta, Maine  
Starting Time 9:00 a.m.**

**HRC Board Members present: Barbara Dresser, Chair, William McFarland, and Gary Reed  
HRC Board Member absent: Dirk Duncan**

**HRC Staff present: Ron Guay, AAG, Henry Jennings, Miles Greenleaf, Ralph Canney, Dr. Zach Matzkin DVM, Jaime Wood**

- 1. Call the Meeting to Order and Introductions:** Barbara Dresser, Chair
- 2. Review and Approval of Written Decisions and Orders**
  - E. Ballard 2015 MSHRC 067 – Passed unanimously (3-0)
  - C. Eaton III 2015 MSHRC 071 – Passed unanimously (3-0)
  - K. Ireland 2015 MSHRC 074 – Passed unanimously (3-0)
  - R. Lamarre 2015 MSHRC 062 – Passed unanimously (3-0)
  - S. Murchison 2015 MSHRC 061 – Passed unanimously (3-0)
  - T. Nehila 2015 MSHRC 068 – Passed unanimously (3-0)
  - M. Reynolds 2015 MSHRC 069 – Passed unanimously (3-0)
- 3. Renewal of the ARCI Annual Membership**
  - Yes, membership should be renewed – Passed unanimously (3-0)
- 4. Approval of the Proposed Sire Stakes Race Dates**
  - Yes, Sire Stake race dates approved – Passed unanimously (3-0)
- 5. Adjudicatory Hearings:**
  - a. RE: Marc Tardif, Complaint Number 2015 MSHRC 064.** Mr. Tardif is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Tardif is the trainer of record for the horse “Isn’t She Lovely”. A blood sample obtained from Isn’t She Lovely following the Fourth Race at Scarborough Downs on July 23, 2015 disclosed the presence of Methocarbamol.
  - Marc Tardif understands that levels of methocarbamol were present in his horse, but maintained that he did not administer the drug. He stated that he has great respect for the

industry and has had 15-17 wins this season and has had no other positive tests. He stated that if his horse needed medication, then he wouldn't race it.

- Commission deliberation: Found that a violation had been committed – Passed unanimously (3-0)
- State recommends: \$500/\$100 suspended (since the Tardif's had already invested so much money into this case- \$625 for split sample and \$375 for DNA test) and loss of purse
- **Commission decision: \$500/\$50 suspended and loss of purse – Passed unanimously (3-0)**

**b. RE: Stanley Whittemore, Complaint Number 2015 MSHRC 072.** Mr. Whittemore is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Whittemore is the trainer of record for the horse "Passion Upperclass". A blood sample obtained from Passion Upperclass following the Second Race at the Skowhegan Fair on August 20, 2015 disclosed the presence of Methocarbamol.

- Commission approved to continue Whittemore's case in the spring when he returns to Maine

**c. RE: Aaron Hall, Complaint Number 2015 MSHRC 073.** Mr. Hall is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Hall is the trainer of record for the horse "GG Roulette". A blood sample obtained from GG Roulette following the Sixth Race at the Scarborough Downs on August 28, 2015 disclosed the presence of Phenylbutazone.

- Note: Barbara Dresser recused herself due to personal relationship with Aaron Hall however remained present in the room.
- Aaron Hall admitted that he did give Phenylbutazone and that he was struggling with knowing what level he was safe to give to his horses. He brought the label for the drug that contained a dosage chart (Licensee Exhibit 1), which the state accepted. Hall stated that he doesn't know how much his horses weigh so was unclear on how much to administer. He stated that he gave 4 grams of "Bute" the evening before the races, and that he assumed that would be acceptable since the state doesn't give guidelines. Hall proposed that earlier in the year his evening administration of the drug occurred roughly 27 hours before post time, whereas now it is closer to 18 hours out due to the earlier post times later in the season. The state called Dr. Zach Matzkin and asked Matzkin how many times Aaron Hall has been tested since July 1<sup>st</sup>, 2015. Matzkin stated that Aaron Hall and his father, Craig Hall, had 75 horses sampled.

- Commission deliberation: Found that a violation had been committed- Passed unanimously (2-0)
- State recommends: Mitigating circumstances do exist for both (073 and 076) and that the cases should be considered as one based on when the notice of positive letter went out. Since it is one violation, written warning to both the trainer and owner
- **Commission decision: Written warning to both trainer and owner – Passed unanimously (2-0)**

**d. RE: Aaron Hall, Complaint Number 2015 MSHRC 076.** Mr. Hall is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Hall is the trainer of record for the horse "OHM Like Clockwork". A blood sample obtained from OHM Like Clockwork

following the Fourth Race at the Farmington Fair on September 24, 2015 disclosed the presence of Phenylbutazone.

- Was combined with 2015 MSHRC 073
- e. **RE: Valerie Grondin, Complaint Number 2015 MSHRC 079.** Ms. Grondin is alleged to have violated MSHRC Rules Chapter 7 and 11. Ms. Grondin is the trainer of record for the horse “Pembroke Scorpio”. A blood sample obtained from Pembroke Scorpio following the Fourteenth Race at the Windsor Fair on September 7, 2015 disclosed the presence of Methocarbamol.
- Commission approved to continue Grondin’s case in the spring when she returns to Maine
- f. **RE: Timothy Nehila, Complaint Number 2015 MSHRC 078.** Mr. Nehila is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Nehila is the trainer of record for the horse “Jeannies Luck”. A blood sample obtained from Jeannies Luck following the Seventh Race at the Scarborough Downs on September 10, 2015 disclosed the presence of Ketoprofen.
- Timothy Nehila stated he used this drug in replacement of Bute, and wonders if it stays in the horse’s system longer. Dr. Zach Matzkin was called in. Nehila asked him if his positive test could be a result of racing his horse back sooner, Matzkin concurred that is plausible.
- Commission deliberation: Found that a violation had been committed – Passed unanimously (3-0)
- State recommends: \$500/\$200 suspended and written warning to owner
- **Commission decision: \$500/\$200 suspended and written warning to owner – Passed unanimously (3-0)**
- g. **RE: John Bowman, Complaint Number 2015 MSHRC 077.** Mr. Bowman is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Bowman is the trainer of record for the horse “When In Doubt”. A blood sample obtained from When In Doubt following the Second Race at the Cumberland Fair on September 28, 2015 disclosed the presence of Phenylbutazone.
- Commission approved to continue Bowman’s case in the spring when he returns to Maine
- h. **RE: Frank Petrelli, Complaint Number 2015 MSHRC 082.** Mr. Petrelli is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Petrelli is the trainer of record for the horse “Onesportonly”. A blood sample obtained from Onesportonly following the Sixth Race at the Oxford Fair on September 19, 2015 disclosed the presence of Methocarbamol.
- Commission approved to continue Petrelli’s case in the spring when he returns to Maine

**Two additional cases were added since they pertained to trainer, Aaron Hall, and they were both for violations of the same drug, Phenylbutazone**

**i. RE: Aaron Hall, Complaint Numbers 2015 MSHRC 092 and 2015 MSHRC 094**

- Note: Barbara Dresser recused herself due to personal relationship with Aaron Hall however remained present in the room.
- Aaron Hall stated that when he received his second Notice of Positive, he talked with Dr. Denis McNitt DVM who instructed him to cut down his dosage from 4g to 2g; this change occurred after receiving notice of the first two violations. Hall stated that he didn't just shrug off his previous violations and that he changed the product and dose. Hall also stated that Bute is a therapeutic drug and that he is taking steps towards fixing his levels being too high. He accepted Dr. Zach Matzkin's testimony from the last hearing.
- Commission deliberation: Found that violations had occurred, and don't object to the cases being treated as one violation – Passed unanimously (2-0)
- State recommends: Since it is being treated as his second violation, \$500/\$250 suspended and written warning to the owner
- William McFarland - medicating a horse is not an exact science, based on testimony believes that Hall is going in the right direction.
- **Commission decision: Accepts recommendation from state, 2<sup>nd</sup> violation in short period of time - \$500/\$250 suspended and written warning to the owner – Passed unanimously (2-0)**

**6. Other Business**

**7. Public Comment**

- Peggy Tardif – made a compassionate plea that there needs to be “more teeth in this commission”, and there needs to be a focus on getting purse money back and finding less mitigating circumstances to lessen fines. She recommended hitting people where it hurts - the wallet. She expressed worry of honest horseman leaving the industry because they can't equally compete with those who are unfairly participating.
- Mike Sweeny – seconded what Tardif said. He discussed horse population issues, raised concern about Sire Stakes schedule, and urged commission to be consistent.
- Legislative member Don Marean – would like to see more out-of-competition testing and stated that the Commission can hire state police to help investigate if necessary/beneficial - if more funding is needed, then let him know, he is happy to help bring the industry back in good standing however he can. He applauded Penn National for excluding people from their racing facilities based on poor behavior, and encouraged Scarborough to ban people that are not holding up to integrity expectations.

**8. Schedule of Future Meetings**

January 27 (3 meetings?), February 24 and March 23, 2016

**9. Adjourn**